

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2003-150-C - ORDER NO. 2003-383

JUNE 5, 2003

IN RE: Petition of Sprint Communications Company,	)	ORDER GRANTING
L.P. for Flexible Regulation of its	)	FLEXIBLE
Competitive Local Telecommunications	)	REGULATION
Services.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition of Sprint Communications Company, L.P. (Sprint or the Company) for approval of flexible regulation of its local exchange services. Sprint was granted authority to provide local exchange telecommunications services in the State of South Carolina by Commission Order No. 96-837, dated December 3, 1996, in Docket No. 96-20-C.

Upon the Commission's receipt of Sprint's Petition and pursuant to the instructions of the Commission's Executive Director, the matter was published in the Commission's subscription service. No Protests or Petitions to Intervene were received. We will therefore proceed to dispose of the matter summarily.

By its Petition, Sprint requests that the Commission regulate its competitive local telecommunications services in accordance with the principles and procedures established for flexible regulation by Commission Order No. 98-165 in Docket No. 97-467-C.<sup>1</sup> Further, Sprint requests that the Commission adopt a rate structure that

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<sup>1</sup> By Order No. 98-165 issued March 5, 1998, in Docket No. 97-467-C, the principles and procedures for flexible regulation were established and first granted to NewSouth Communications, LLC.

incorporates maximum rate levels for its local exchange service offerings while providing the flexibility to make adjustments below the maximum rate levels in keeping with the procedures established for flexible regulation in Order No. 98-165 in Docket No. 97-467-C, with the following exception. Sprint does not propose that its rates be capped at levels that can only exceed BellSouth Telecommunications, Inc.'s current rates by fifteen percent (15%), unlike NewSouth Communications, LLC. In support of its Petition, Sprint attached as Exhibit A to its Petition, the Company's proposed South Carolina tariff filings setting forth the maximum rates Sprint intends to charge for its services.

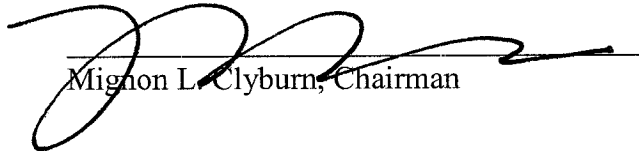
Sprint specifically requests that its local exchange tariff filings be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case such tariff filings would be suspended pending further order of the Commission, and that any tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

Flexible regulation of local exchange services has been frequently approved by this Commission to promote competition in the telecommunications industry in South Carolina. According to Sprint, approval of flexible regulation of the Company's local telecommunications services will provide Sprint with the necessary tools to effectively compete in the marketplace of telecommunications services in South Carolina. We believe that flexible regulation will continue to promote competition in the telecommunications industry in South Carolina. Accordingly, we approve Sprint's request for flexible regulation.

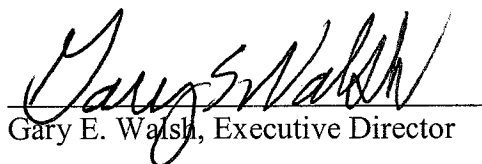
Sprint's local telecommunications services shall be regulated in accordance with the principles and procedures established for flexible regulation first granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. Specifically, the Commission adopts for Sprint's competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission. Further, Sprint's local exchange service tariff filings are presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Mignon L. Clyburn, Chairman

ATTEST:

  
Gary E. Walsh, Executive Director

(SEAL)